

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the
District of Delaware

VANDA PHARMACEUTICALS INC.

Plaintiff(s)

v.

MSN PHARMACEUTICALS INC. AND MSN
LABORATORIES PRIVATE LIMITED

Defendant(s)

Civil Action No. 20 - 318

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* MSN PHARMACEUTICALS INC.
United States Corporation Agents, Inc.
300 Delaware Ave Suite 210-A
Wilmington, DE 19801

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

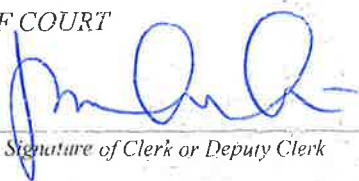
Karen Jacobs
MORRIS, NICHOLS, ARSHT & TUNNELL LLP
1201 North Market Street
P.O. Box 1347
Wilmington, DE 19899
(302) 658-9200

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

MAR 03 2020

Date: _____

CLERK OF COURT



Signature of Clerk or Deputy Clerk

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Civil Action No. 20-318

PROOF OF SERVICE*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for (name of individual and title, if any) MSN Pharmaceuticals Inc.
 was received by me on (date) 03/04/2020.

☐ I personally served the summons on the individual at (place) _____
 on (date) _____; or

☐ I left the summons at the individual's residence or usual place of abode with (name) _____,
 a person of suitable age and discretion who resides there,
 on (date) _____, and mailed a copy to the individual's last known address; or

☒ I served the summons on (name of individual) Kevin Warner, Esquire via electronic mail, who is
 authorized ~~designated~~ by law to accept service of process on behalf of (name of organization) _____
MSN Pharmaceuticals Inc. on (date) 03/04/2020; or

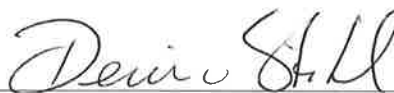
☐ I returned the summons unexecuted because _____; or

☐ Other (specify): _____

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date: 03/04/2020



Server's signature

Denise Stitik - IP Litigation Paralegal

Printed name and title

Morris, Nichols, Arsht & Tunnell LLP
1201 N. Market Street
Wilmington, DE 19801

Server's address

Additional information regarding attempted service, etc: